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**VIA ECF**

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Hon. Joan M. Azrack  
United States District Court  
Eastern District of New York  
100 Federal Plaza  
Central Islip, NY 11722-9014

Re: Tanza, et al. v. Garda Security, Inc. et al.  
15-cv-4394 (JMA) (AYS)

Dear Judge Azrack:

As Class Counsel, we write with the consent of Defendants' counsel to respectfully request an adjournment of the parties' conference currently scheduled for May 14, 2024 in this matter.

By way of background, on January 19 2024, the Court issued an order granting preliminary approval of the parties' class action settlement. [ECF No, 162]. The Order set a final approval hearing on May 14, 2024, at 3:30 p.m., with the parties expected to file their motion for final approval fourteen days before. That same order required the parties to brief the issue of entitlement to attorney's fees, and provided "No deadlines shall run under the Agreement until the issue of fees and costs are resolved by the Court."

Class Counsel and counsel for Neil Frank filed their motion for attorney's fees and costs, to which Defendant responded. The motion is fully briefed, but the Court has yet to rule. As a result, no deadlines under the parties' settlement agreement (including the deadline to issue notice to the settlement class) has run.

Thus, this matter is not ripe for a final approval hearing. Thus, consistent with the Court's Order granting preliminary approval, which provided that the Court could adjourn the hearing, the parties respectfully request that the Court adjourn the May 14<sup>th</sup> fairness hearing. If the Court requires argument on the matter of attorneys' fees, parties' and interest parties' counsel are available for such argument on May 14<sup>th</sup> in lieu of the fairness hearing, but respectfully request that the hearing be held virtually in order to avoid incurring travel expenses of defendants' counsel to attend the hearing in-person.





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Your Honor's consideration is appreciated.

Respectfully submitted,

/s/ Scott Michael Mishkin

